PTO/SB/21 (08-00) Please type a plus sign (+) inside this box -> + Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE The Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/993.888 TRANSMITTAL Filing Dat November 27, 2001 **FORM** First Nam d Inventor Mark E. Pennell (to be used for all correspondence after initial filing) **Group Art Unit** 2152 **Examiner Name** not yet known 4 \*\* Total Number of Pages in This Submission **Attorney Docket Number** 10005.000110 ENCLOSURES (check all that apply) After Allowance Communication to Fee Transmittal Form (in duplicate) Letter to the Official Draftsperson Group Appeal Communication to Board of Fee Attached Corrected Drawing(s) Appeals and Interferences Appeal Communication to Group Amendment / Response Licensing-related Papers (Appeal Notice, Brief, Reply Brief) Petition After Final Proprietary Information Petition to Convert to a Status Letter Provisional Application Other Enclosure(s) Power of Attorney Affidavits/declaration(s) (please identify below): Attachment A (16 pgs); Signed Declaration Return receipt postcard Express Abandonment Request Request for Refund

CD, Number of CD(s)\_

Remarks

Parts under 37 CFR
1.52 or 1.53

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Patrick D. Benedicto, Reg No. 40,909
DEGUZMAN OKAMOTO & BENEDICTO, LLP

Signature

March 13, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

03/13/2002

\*\* does not include pages for listed ref: Attachment ATechnology Center 2100

Date

RECEIVED

APR 0 3 2002

March 13, 2002

Typed or printed name Patrick D. Benedicto

Information Disclosure Statement

Copy of Notice of Incomplete Reply

Reply (NONPROVISIONAL)

Response to Missing

(NONPROVISIONAL)

Response to Notice of Incomplete

Signature Paris Bear

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box —> [+]

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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MAR 2 5 2002	•		First	Named Inventor	Mark E.	Pennell	
to be used for eleco	rrespondence after ii	nitial filing)	Grou	p Art Unit	2152		
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Total Number of Page	s in This Submission	15	Attorr	ney Docket Number	10005.0	00110	
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Transmittal Form	, '	Licensi	ng-relate	ed Papers	Appe	al Communication to Group eal Notice, Brief, Reply Brief)	ĺ
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	Response to Missing Parts under 37 CFR						
	SIGNA	TURE OF A	1PPLIC	ANT, ATTORNEY, O	R AGENT		
Firm or Individual name	Patrick D. Benedict DEGUZMAN OKAN	to, Reg. No. 4	40,909				
Signature Pain Pendivo							
Date	January 16, 2002						
		CEF	₹TIFIC#	ATE OF MAILING			=
I hereby certify that th	is correspondence is	being depos	ited with	the United States Post	al Service as	s first class mail in an envelo	ре
addressed to: Assista	ant Commissioner for	Patents, Wa	shingtor	n, D.C. 20231 on this da	ate: 1/16/	02	
Typed or printed name	e Patrick D. Ben	redicto					
Signature Patrice Bendico					Date	Jan. 16, 2002	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

MAR 2 5 2002 5

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## MAR 2 5 2007 THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Amplication of:

dark E. Pennell, et al.

Serial No.: 09/993,888

Filed: November 27, 2001

Title: Method and Apparatus For Defeating A Mechanism

That Blocks Windows

Examiner: not yet known

Art Unit: 2152

Atty. Docket No.:

10005.000110

RECEIVED

724 A 3 5005

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Technology Center 2100

# RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL) Sir:

In response to the Notice Of Incomplete Reply (NONPROVISIONAL) mailed 02/28/2002 for the above-identified patent application, enclosed are the following:

Attachment A, which is a copy of previously submitted Response to Notice to File Missing Parts of Nonprovisional Application; and

☐ Copy Notice Of Incomplete Reply (NONPROVISIONAL).

It is respectfully submitted that the Notice Of Incomplete Reply mailed 02/28/2002 for the above-identified patent application was generated in error. As is evident from Attachment A, the Response to Notice to File Missing Parts Of Nonprovisional application submitted on 01/16/2002 (received in the USPTO on 01/24/2002) included two sets of signed declarations. The first set of declaration included the signature of Mark E. Pennel, while the second set of

declaration included the signatures of L. Scott Primak and Charles Gilbert. Because the above-identified application only names the aforementioned three individuals as inventors, the submitted two sets of declarations constitute a complete signed declaration.

Because the Notice Of Incomplete Reply (NONPROVISIONAL) was generated in error, Applicants respectfully submit that they do not have to pay additional fees. However, if required for any reason, the Commissioner is hereby authorized to charge deposit account no. 50-2030.

If the Examiner has any questions or needs additional information, the Examiner is invited to contact the undersigned attorney at (650) 691-2030.

Dated: 3/13/02

Respectfully submitted,
Mark E. Pennell et al.

By: Paria Beraw

Patrick D. Benedicto
Attorney For Applicant(s)
Reg. No. 40,909
DEGUZMAN OKAMOTO & BENEDICTO LLP
P.O. Box 51900
Palo Alto, California 94303
(650) 691-2030; FAX(650) 691-2032 (FAX)

#### Enclosure(s)

		CERTIFICATE O	F MAILING					
I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.								
Signature:	Pati'a Ba	سمدس						
Typed or Printed Nam	e: Patrick D.	Benedicto		Dated:	March 13, 2002			
Express Mail Ma (optional):	iling Number							

# MAR 2 5 2002 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the plication of:

Mark E. Pennell, et al.

Serial No.: 09/993,888

Filed: November 27, 2001

Title: Method and Apparatus
For Defeating A Mechanism

That Blocks Windows

Examiner: not yet known

Art Unit: 2152

Atty. Docket No.:

10005.000110

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

# RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed 12/06/2001 for the above-identified patent application, enclosed are the following:

- A copy of the Notice to File Missing Parts of Nonprovisional Application;
- $\boxtimes$  Power of Attorney;
- $\boxtimes$  An original, signed Declaration;
- □ Payment in the amount of \$603.00 for the filing
   and surcharge fees;
- Applicant claims small entity status under 37 C.F.R. section 1.27.

If the Examiner has any questions or needs additional information, the Examiner is invited to contact the undersigned attorney at (650) 691-2030.

Dated: 1-16-02

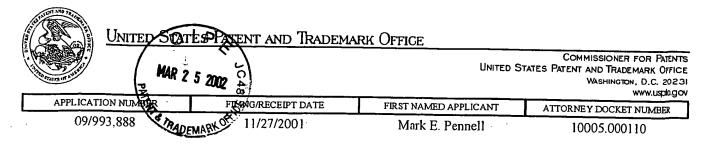
Respectfully submitted,
Mark E. Pennell

By: Patrice Blucker

Patrick D. Benedicto
Attorney For Applicant(s)
Reg. No. 40,909
DEGUZMAN OKAMOTO & BENEDICTO LLP
P.O. Box 51900
Palo Alto, California 94303
(650) 691-2030
(650) 691-2032 (FAX)

### Enclosure(s)

		CERTIFICATE OF MAILING		
deposited with the Commissioner for I Number is filled	e Unite Patents in belo	s correspondence, including the enclosures identified he States Postal Service as first class mail in an envelop Washington, D.C. 20231, on the date shown below. If the t, then this correspondence is being deposited with the U t Office to Addressee" service pursuant to 37 CFR 1.10.	e ad	dressed to:
Signature:		na Bendin		
Typed or Printed Name	e:	Patrick D. Benedicto	d:	Jan. 16, 2002
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**CONFIRMATION NO. 7693** 

FORMALITIES LETTER

\*OC000000007166016\*

Patrick D. Benedicto deGuzman Okamoto & Benedicto LLP P.O. Box 51900 Palo Alto, CA 94303

Date Mailed: 12/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
   Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$168.
  - \$126 for 14 total claims over 20.
  - \$42 for 1 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 603.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## STATES PATENT AND TRADEMARK OFFICE

MAR 2 5 2002

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 2023I

www.uspto.gov

MEMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

11/27/2001

Mark E. Pennell

10005.000110

**CONFIRMATION NO. 7693** 

Patrick D. Benedicto deGuzman Okamoto & Benedicto LLP P.O. Box 51900 Palo Alto, CA 94303

RECEIVED APR 0 3 2002

**FORMALITIES LETTER** 

OC000000007556207

Technology Center 2100

Date Mailed: 02/28/2002

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

### Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/24/2002 to the Notice to File Missing Parts (Notice) mailed 12/06/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

The oath or declaration is unsigned.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

lanna Lamossa

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PTO DATE STAMP: By: PDB/jvm Date Mailed: January 16, 2002 Docket No.: 10005.000110 Serial No.: 09/993,888 Applicant(s): Mark E. Pennell, L. Scott Primak, and Charles Gilbert Title: METHOD AND APPARATUS FOR DEFEATING A MECHANISM THAT BLOCKS WINDOWS The following has been received in the U.S. Patent Office on the date stamped hereon: Response to Notice to File Missing Parts of Nonprovisc Application □ Copy of Notice to File Missing Parts of Nonprovisional Oath/Declaration (signed) Application ☑ Declaration (supplemental sheet) □ Power of Attorney Return receipt postcard □ Fee Transmittal (In duplicate) □ Check No. 1133 for \$ 603.00 1133 DEGUZMAN OKAMOTO & BENEDICTO LLP 08-01 WELLS FARGO BANK, N.A. STANFORD INDUSTRIAL PARK 2672 BAYSHORE PARKWAY, SUITE 509 505 CALIFORNIA AVENUE **MOUNTAIN VIEW, CA 94043** PALO ALTO, CA 94306 11-4288/1210 1/16/2002 PAY TO THE ORDER OF Commissioner for Patents \*\*603.00 Six Hundred Three and 00/100\*\*\*\*\*\*\* . DOLLARS 🚹 🔄 Commissioner for Patents Paun Bend N PTO# 09/993,888 Docket# 10005.000110 MEMO. #OD 1133# #112104 288 2#22468 13998#

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OFFE TRANS	PIVILLAL	Application Number	09/993,888					
MAR 2 5 2002 FOR FY 2	2002	Filing Date	November 27, 2001					
2002		First Named Inventor	Mark E. Pennell					
Patetylees are subject to	annual revision.	Examiner Name	not yet known					
TO THE PARTY OF		Group / Art Unit	2152					
TOTAL AMOUNT OF PAYMENT	(\$) 603.00	Attorney Docket No.	10005.000110					

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_ ''	nder 37	CFR 1.16 claims sm	and 1.	17				112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
s	ee 37 C	FR 1.27		y status.				113	1,840*	113	1,840	* Requesting publication of SIR after Examiner action	
- 6	. uyo	in Endos	cu.					115	110	215	55	Extension for reply within first month	
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107 . 5	510	207 2	255	Plant filing fee				138	1,510	138	1,510	Petition to institute a public use proceeding	
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					ee from	Fee	ı	122	130	122	130	Petitions to the Commissioner	
Total Claims	34	-20	= [		elow 9	Paid = 126		123	50	123	50	Petitions related to provisional applications	
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103	18	203	9	Claims in exce			ļ	. , 5	. 40	47	3/0	For each additional invention to be examined (37 CFR § 1.129(b))	
102	84	202	42	Independent of			ļ	170	740	070	076	- ' ' ''	<del>  -  </del>
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SUBMITTED BY	· · · · · · · · · · · · · · · · · · ·			Co	omplete (if applicable)
Name (Print/Type)	Patrick D. Benedicto	Registration No. Attorney/Agent)	40,909	Telephone	650-691-2030
Signature	Pain'n 18e	udiUU		Date	January 16, 2002